THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 15534 of 2007

O r d e r:

Pursuant to the notification, issued by the respondents, for appointment to the posts of Contract Junior Linemen, the petitioners submitted their applications. The respondents invited them to attend an interview. The 1st petitioner attended the interview, but he was not selected, whereas the 2nd petitioner did not attend the interview. Hence, the petitioners filed the present writ petition seeking directions to the respondents to appoint them as Contract Junior Linemen.

The learned counsel for the petitioners submits that the petitioners have been working with the respondents for the last so many years. He submits that they are fully qualified and eligible for appointment to the posts of Contract Junior Linemen, and therefore, in pursuance of the notification, they submitted their applications, and the respondents have also invited the petitioners to attend for the interview. He submits that though the 1st petitioner attended the interview, he was not selected, while 2nd petitioner did not attend the interview as he suffered injury. He submits that since the petitioners possess the requisite qualifications and have gained sufficient experience, the respondents ought to have selected them as Contract Junior Linemen, and more so when there are vacancies available. He thus sought for a direction to the respondents to appoint them as Contract Junior Linemen.

On the other hand, the learned Standing Counsel for the respondents-APCPDCL submitted that the 1st petitioner though attended the interview, he was not selected because he is over-aged

by two years, while the 2nd petitioner failed to attend the interview, and therefore, the respondents have not selected them as Contract Labour Junior Linemen, and no exception can be taken thereto.

Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondents-APCPDCL.

According to the own admission of the 2nd petitioner, he failed to attend the interview, and he having failed to attend the interview, cannot expect the respondents to select him, even though he possess the requisite qualifications and is within the prescribed age. Though the 1st petitioner attended the interview, it is the case of the respondents that as he is over-aged, his case was rejected. As per the notification, the candidates applying for the post of Contract Junior Linemen should not be below 18 years and not be above 35 years. Inasmuch as the 1st petitioner is now aged 37 years, in that he had crossed the maximum age of 35 years prescribed for selection, no exception can be taken to the action of the respondents in not selecting and appointing him as Contract Labour Junior Linemen, and more so having regard to the judgment of the apex Court in Civil Appeal No. 3215 of 2002 and batch dated 18.04.2002, wherein it was held that no age relaxation can be granted as the statutory regulations did not provide for any relaxation of age. Therefore, no direction can be given to the respondents to select and appoint the petitioners as Contract Labour Junior Linemen.

The writ petition is devoid of merit, and the same is accordingly dismissed. No costs.

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N.V. RAMANA, J.

Dated: 7th September, 2007.
KSR